

OLC RECORD COPY

OLC 78-0232

15 FEB 1978

Guidlines

MEMORANDUM FOR: Mr. John F. Blake, Deputy Director for Administration

STAT FROM : [REDACTED] Acting Legislative Counsel
SUBJECT : Lifting of the Moratorium on the Destruction of Agency Documents (U)

1. (U) We discussed with Professor G. Robert Blakey, Chief Counsel and Director, House Select Committee on Assassinations, if his Committee would have any objection to the resumption of normal destruction of documents in view of the decision of the Senate Select Committee on Intelligence to lift the moratorium. Attached is a copy of the Director's letter to Chairman Thomas N. Downing not to lift the moratorium without the Committee's approval.

2. (U) Mr. Blakey requested that since the Committee's review of Agency documents is in high gear, he did not want to discuss the lifting of the moratorium for at least six weeks when he feels most of the review will be completed. I am pleased to note that the Committee staff was most appreciative of the assistance provided by [REDACTED] explaining Agency documents and filing systems which greatly facilitated the Committee's review.

3. (U) It is requested that the moratorium remain in effect. We will, together with [REDACTED] contact the Committee in six weeks and at that time seek clearance for the lifting of the moratorium to resume normal destruction.

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Attachment [REDACTED]

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77-9253/2

United States Senate

SELECT COMMITTEE ON INTELLIGENCE

(PURSUANT TO S. RES. 40, 94TH CONGRESS)

WASHINGTON, D.C. 20510

December 21, 1977

OLC-77-5740

WCS
SAC

77-824

IN REPLY PLEASE
REFER TO Q#1237

Admiral Stansfield Turner
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Admiral Turner:

On July 17, 1976 I requested that the moratorium on destruction of intelligence and investigative records originally requested by Senators Mansfield and Scott be extended through December 17, 1976. No further extensions have been formally requested. Therefore, all agencies maintaining records pursuant to the moratorium may return to normal records destruction policies.

I would request that any changes in records maintenance or destruction procedures affecting intelligence or investigations which have been promulgated since the moratorium was instituted as well as any future changes in procedures be brought to the attention of the Senate Select Committee on Intelligence.

Aloha,


Daniel K. Inouye
Chairman

Washington, D.C. 20503

CC: RECORDED COPY

LJ Conklin

8 DEC 1976

Honorable Thomas N. Downing, Chairman
Select Committee on Assassinations
House of Representatives
Washington, D. C. 20515

Dact
H S C A
77-0012

Dear Mr. Chairman:

[REDACTED] of my staff, has relayed to me the interest of your Chief Counsel, Mr. Richard Sprague, that records related to the investigation of the deaths of John F. Kennedy and Martin Luther King, Jr., not be destroyed once the "moratorium" on the destruction of Agency records is lifted. Let me assure you that there is no cause for concern.

STAT

The "moratorium" was imposed on the destruction of CIA records in 1975 during the investigation by the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities and will expire on 10 December 1976. At that time regular document destruction will begin in accordance with records control schedules approved by the Archivist of the United States and subject to review by the Senate Select Committee on Intelligence. The Agency's policy in regard to the lifting of the destruction "moratorium" and the application of records control schedules to the orderly disposition of Agency records was published in the Federal Register, a copy of which is enclosed.

It is CIA's policy to fully support investigative bodies of the Executive, Legislative, or Judicial Branch, and we will continue to do so. Once the "moratorium" is lifted, we will destroy no materials which would appear to relate to your investigations or be of interest to your Committee. Further, we will make available for your review the lists for disposition of records prepared for the Archivist at the same time these lists are submitted to the Senate Select Committee on Intelligence. Material designated for destruction in the lists will not be destroyed until your Committee notifies the Agency that it has completed its review, and has no objection. To date, 15 lists have been furnished to the Senate Select Committee and they will be made available for your review immediately.

I assure you that no documents which we are aware of as being related to your investigation will be destroyed.

Sincerely,

SGCUED

George Bush

Enclosure

Distribution:

Orig. - Addressee w/encl.

1 - DCI w/encl.

1 - DDCI wo/encl.

1 - DDO w/encl.

1 - DDA [redacted] w/encl.

1 - OGC w/encl.

1 - IG w/encl. OLC/Subj. w/encl.

1 - ER w/encl. OLC/Chrono wo/encl.

OLC:PLC:dla (typed 7 December 1976)

STAT

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices & hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

PARTMENT OF AGRICULTURE

Forest Service

ISCADE HEAD SCENIC-RESEARCH AREA

Availability of Final Environmental Statement

In accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a Final Environmental Statement for the Management Plan on the Cascade Head Scenic-Research Area, USDA-PS-FES (Admin). This environmental statement concerns a management Plan which specifies management objectives and management actions necessary for the protection, management and development of the Cascade Head Scenic-Research Area. Management Plan strives to promote a cooperative relationship with private owners within the Area so the intent of Pub. L. 93-335 and the plan can be met. It provides for limited new public uses to aid area visitors and it secures some uses and activities. It gives management direction for the Slope-Dispersed Residential Subdivision which may result in some additional houses being built. It establishes a land acquisition program to implement provisions of this plan and of Pub. L. It establishes a long term goal of returning the Salmon River estuary and associated wetlands to a natural ecosystem free from man's development. It displays a research program related to study the coastal ecosystem.

Final Environmental Statement transmitted to CEQ on November 18,

Copies are available for inspection regular working hours at the following locations:

Forest Service, South Agriculture Room 3210, 12th St. and Independence Ave., SW, Washington, D.C. 20250.
Forest Service, Pacific Northwest in, Multnomah Building, 319 N.W. Pine St., Portland, Oregon 97204.

Forest Service, Siuslaw National Forest, 345 S.W. 2nd, Corvallis, Oregon

Forest Service, Siuslaw National Forest, Hebo Ranger District, Hebo, Oregon

Copies of single copies are available upon request to:

Supervisor, Siuslaw National Forest, 345 S.W. 2nd, Corvallis, Oregon 97330.

Copies of the Environmental Statement have been sent to various Federal,

State, and local agencies as outlined in the CEQ guidelines.

R. Max Patterson,
Deputy Chief, Forest Service.

November 18, 1976.

[FIR Doc. 73-34633 Filed 11-18-76; 3:45 2m]

Packers and Stockyards Administration.

JOE TATE COMMISSION BARN, INC.,
LEBEAU, LOUISIANA, ET AL

Depositing of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Facility No., Name and Location
of Stockyard Date of Posting

LA-124 Joe Tate Commiss. Oct. 15, 1962

Lebeau, La.

MX-125 Lincoln Livestock Apr. 23, 1959.

Auction Yards, Lincoln, Mich.

PA-118 Greenville Livestock Jan. 15, 1950.

Auction, Greenville, Pa. Apr. 23, 1973.

SC-126 Green Livestock Co.,

Cree, S.C. Nov. 20, 1953.

TX-159 Community Exchange, Inc. Edinburg, Tex.

IB-168 Whiting Livestock May 16, 1961.

Commission Sales, Whiting, Vt.

Notice or other public procedure has

not preceded promulgation of the foregoing rule. There is no legal justification for not promptly depositing a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule relieving a restriction and may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective on November 22, 1976.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 et seq.)

Done at Washington, D.C. this 16th day of November, 1976.

Edward L. Thompson,
Chief, Registrations, Bonds, and
Reports Branch, Livestock
Marketing Division.

[FIR Doc. 73-34633 Filed 11-18-76; 3:45 2m]

CENTRAL INTELLIGENCE AGENCY

CONTROL OF RECORDS DESTRUCTION

Procedures and Policy

On September 7, 1976 a notice was issued to all CIA personnel setting out policy and procedures for the control of records destruction. The purpose of this Notice is to insure that destruction of unnecessary or improperly maintained records is carried out in the manner prescribed by statute and by clearance of the Senate Select Committee on Intelligence.

Records subject to the moratorium on destruction will not be destroyed prior to December 10, 1976.

The text of the Notice is as follows:

RECORDS CONTROL SCHEDULES AND THE DESTRUCTION MORATORIUM

(1) CIA has statutory obligations (44 U.S.C. 33) to obtain approval of the Administrator of General Services for the retention and destruction of records. The mechanism for obtaining this approval is the submission of records control schedules to the National Archives and Records Service (NARS) for approval by the Archivist of the United States. GSA Bulletin FPMR E-62, dated 22 January 1976, requires Federal agencies to submit to NARS updated records control schedules by 31 December 1976. In a memorandum dated 20 April 1976, the DCI directed that Agency records control schedules be updated by 30 September 1976 and processed through the Directorate of Administration for approval by NARS prior to the destruction of records.

(2) Senate Resolution 21, dated 21 January 1975, established the Senate Select Committee to Study Governmental Operations With Respect to Intelligence Activities. The Senate leadership requested in a letter dated 27 January 1975 that the Agency not dispose of any records or documents bearing on the subjects under investigation by the Select Committee. In a memorandum dated 22 January 1975, Mr. Coyle directed that any records or documents that may have a bearing on Senate Resolution 21 not be destroyed. This was extended to include practically all Agency documents. This hold on destruction has since been referred to as "the moratorium." In a letter to the Senate leadership dated 22 June 1976, the DCI extended the moratorium on destruction of records until 10 December 1976.

(3) CIA policy on destruction of records thus:

Approved For Release 2006/12/19 : CIA-RDP81M00980R000200030072-8
under General Records Schedules, will be covered by records control schedules approved by NARS (with a copy provided to the Senate Select Committee on Intelligence) prior to their destruction.

(b) "Routine" administrative records not involved under Senate Resolution 21 that are scheduled for immediate destruction will be destroyed upon receipt of NARS approval and after appropriate clearance from the Senate Select Committee.

(c) Records involved under Senate Resolution 21 that are scheduled for immediate destruction will be destroyed after NARS approval, and appropriate clearance from the Senate Select Committee but in no case prior to 10 December 1976.

(d) Any Agency documents and materials that are identified by the General Counsel as the subject of litigation or of possible litigation, or as of interest in matters under investigation by the Justice Department, will not be destroyed without the prior approval of the General Counsel. This includes documents and materials relating to Freedom of Information Act and Privacy Act requests to the Agency.

(e) Extra copies of documents preserved only for convenience of reference or for distribution stocks of publications may be destroyed when no longer needed.

JOHN P. BLAKE,
Deputy Director for Administration
[FBI Doc.34393 Filed 11-12-76; S:15 am]

CIVIL AERONAUTICS BOARD

[Order 73-11-73; Docket 27592, Agreement C.A.B. 28202; Docket 29123, Agreement C.A.B. 26264 R-1 through R-6; Agreement C.A.B. 26203 R-1 and R-3, R-4 through R-9; Agreement C.A.B. 26214, Agreement C.A.B. 28231]

INTERNATIONAL AIR TRANSPORT ASSOCIATION Passenger Fare Matters

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 281 of the Board's Economic Regulations between various air carriers, foreign air carriers and other carriers embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA). The agreements were adopted at either the Special Composite Passenger and Cargo Traffic Conference-Currency or the Composite Passenger Traffic Conference both held in Miami during August and September-October, respectively, of this year and, unless otherwise noted, intended for effect in November or December of 1976.

The agreements would have either direct application in air transportation as defined by the Act as follows: Agreement C.A.B. 26202 would exempt Fiji domestic and add-on fares from application of a currency-related surcharge on passenger fares originating in that country destined

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Agreement C.A.B. 26201 would amend a number of proportional fares used to construct through fares over the Mid Atlantic. Agreement C.A.B. 26205 would permit departure from the IATA fare construction rules for certain specified intra-Pacific routings. Increase passenger fares between most Middle Eastern points by 3 percent, increase passenger fares between Italy/Paris and Tel Aviv by 5 percent, and amend certain South Atlantic proportional fares. Agreement C.A.B. 26214 would permit an existing exception to the IATA fare construction rules for certain Mid Atlantic normal economy fares to continue through March 31, 1977. Finally, Agreement C.A.B. 26231 would increase all passenger fares between certain Middle Eastern points and points on the Indian Sub-

continent by 5 percent, 1977.

We will approve the above agreements for the most part, insofar as which are combinable with the United States and the direct application in air transportation as defined by the Act. Mid-Atlantic proportional fares constructed through fares to Puerto Rico and the Virgin Islands in the South Atlantic appear warranted as they reflect changes in within Area 2.

Pursuant to authority given by the Board in the Board's Order 14 CFR 285.14:

1. It is not found that the following resolutions, incorporated in the Board's Agreements C.A.B. 26201 as indicated, affect air transportation within the public interest or in violation of the Act:

Agreement : IATA
CAB - No. : 26201

R-1.....	03b(b)	Mid-Atlantic First-Class Fares (Amending)
R-2.....	03b(b)	Mid-Atlantic Economy-Class Fares (Amending)
R-3.....	03b(b)	Mid-Atlantic First-Class Fares (Amending)
R-4.....	03b(b)	Mid-Atlantic Economy-Class Fares (Amending)
R-5.....	03b(b)	Mid-Atlantic First-Class Fares (Amending)
R-6.....	03b(b)	Mid-Atlantic Economy-Class Fares (Amending)

2. It is not found that the following resolutions, incorporated in the Board's Agreements C.A.B. 26201 as indicated and which have indirect application in air transportation within the Act, are adverse to the public interest or in violation of the Act:

Agreement : IATA
CAB - No. : 26202

R-1.....	02m	IATA'S Special Rules for Sales of Passenger Air Transport Services (Amended)
R-2.....	02n	Special Amending Resolution (Expedited)
R-4.....	03b	Special Amending Resolution (Expedited)
R-6.....	02c	General Increase in Passenger Fares (Expedited) (New)
R-7.....	03c	South Atlantic Normal First-Class Fares (Expedited) (New)
R-8.....	03c	South Atlantic Economy-Class Fares (Expedited) (Amended)
26214.....	02k	Special Amending Resolution (Expedited)

26214..... 02k .. General Increase in Passenger Fares (New)

3. It is not found that the following resolutions, incorporated in the Board's Agreements C.A.B. 26203 as indicated, affect air transportation within the mean

Agreement : IATA
CAB - No. : 26203

R-6.....	03	TC3 Passenger Charters (Expedited) (Amended)
R-9.....	03k	TC3 Group Inclusive Tour Fares—Asia/South West Pacific (Expedited) (Amended)

Accordingly, it is ordered, That:

1. These resolutions set forth in finding paragraphs one and two above be and hereby are approved; and

2. Jurisdiction be and hereby is disclaimed with respect to the resolutions set forth in finding paragraph three above.

Persons entitled to petition the Board for review of this order, pursuant to the Board's Regulations, 14 CFR 285.50, may file such petitions within ten days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the

Board gives notice that it orders on its own motion. This order will be published in the FEDERAL REGISTRY.

PHILLIPS
[FBI Doc.76-31600 Filed 11-12-76; Doc. Order 73-11-81; Doc.

UNITED AIR LINES
Round-Trip Charter CH
Digitalis Corp
Adopted by the Civil Aer

at its office in Washington
10th day of November, 1976.